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April 16, 1999

Thomas Budroe
On-Scene Coordinator
Emergency and Remedial Response Division
Removal Action Branch
U.S. Environmental Protection Agency, Region II
2890 Woodbridge Avenue, MS-211
Edison, New Jersey 08837

re: Vega Baja Solid Waste Disposal Superfund Site, Rio Abajo Ward, Vega Baja, PR

Dear Mr. Budroe,

The following is submitted by Owens-Illinois, Inc. ("Respondent") on behalf of its glass manufacturing facility located in Vega Alta, Puerto Rico, in response to the U.S. EPA's 104(e) Request for Information dated February 4, 1999, relating to information, if any, in the possession of Respondent with respect to the above-referenced Site.

If you have any questions concerning this response, please call me at (419) 247-8699.

Very truly yours,

Susan L. Smith
Environmental Affairs
Owens-Illinois, Inc.
One SeaGate - 30 LDP
Toledo, Ohio 43666

Enclosure

GENERAL OBJECTIONS:

1. Respondent objects to the following requests for information on the grounds that they are burdensome and overly broad.
2. Respondent objects to the production of any material which is subject to attorney-client privilege or other privilege, or which constitutes protected attorney work product, or which is not otherwise discoverable.
3. Respondent objects to Definition #6 on the basis that "the Company" and "your Company" are defined to include "successors in interest" insofar as Respondent is unable to furnish the EPA with information outside of its custody or control, as would be the case with successors in interest.
4. Respondent objects to Direction #4 on the basis that it is unduly burdensome and overly broad insofar as it seeks to require responses based upon information from "former" employees and agents. Respondent objects insofar as Respondent is unable to furnish the EPA with information outside of its custody or control, as is the case with persons other than employees, such as former employees and agents.
5. Respondent objects to Direction #7 on the basis that it is unduly burdensome and overly broad insofar as Respondent has no knowledge as to any information, details or documents that an individual who is not its employee would have relating to responses to these information requests. Respondent objects insofar as Respondent is unable to furnish the EPA with information outside of its custody or control, as would be the case with persons other than its employees.
6. Respondent objects to Direction #10 on the basis that it calls for approximation, which calls for guessing or speculative responses.
7. Respondent objects to any attempt by EPA to create a continuing duty for Respondent to supplement its response on the grounds that such instruction is beyond the scope of the statutory authority of CERCLA. Without waiving its objection, Respondent will voluntarily supplement its response in the event it becomes aware of any new information or any information that demonstrates that its response was incorrect when made, though believed to be correct when made, or is no longer true.
8. Additionally, the letter's instructions exceed the scope of the statute as CERCLA does not require that Respondent certify or notarize the answers to the Information Requests. Without waiving its objections, Respondent states that it has conducted a review of relevant records and has performed a reasonable inquiry of employees knowledgeable as to matters raised in the Information Request regarding the Site.

Without waiving any of the foregoing general objections, Owens-Illinois, Inc. responds as follows:

1.a. State the correct legal name and mailing address of your Company.

Response: The legal name and mailing address of the Company is:

**Owens-Illinois de Puerto Rico
P.O. Box 387
Vega Alta, Puerto Rico 00692**

b. State the name(s) and address(es) of the President, Chief Executive Officer and the Chairman of the Board (or other presiding officer) of the Company.

Response: Without waiving any of the foregoing general objections, Dee J. Hillberry is the General Manager of Owens-Illinois de Puerto Rico.

c. Identify the state and date of incorporation of the Company and the Company's agents for service of process in the state of incorporation, in New York, and in Puerto Rico, if applicable.

Response: Owens-Illinois de Puerto Rico is a partnership between Owens-Illinois de Puerto Rico Inc. and Inland Container Corporation existing under the laws of the state of Ohio.

The following is its agent for service of process in Puerto Rico:

**C T Corporation System
361 San Francisco Street - Penthouse
Old San Juan, Puerto Rico 00901**

d. If your Company is a subsidiary or affiliate of another corporation or other entity, identify each of those other entities and those entities' Chief executive Officers, Presidents and Chairmen of the Board. Identify the state of incorporation and agents for service of process in the state of incorporation and in New York State for each entity identified in your response to this question.

Response: The responses to questions 1. a, b and c are also responsive to this request for information. Owens-Illinois de Puerto Rico Inc. is a wholly owned subsidiary of Owens-Illinois, Inc. Enclosed in Attachment A are copies of Owens-Illinois, Inc.'s 1997 Form 10K and 1997 Annual Report, which are responsive to this request concerning the corporate structure of the Company.

2. Identify all facilities owned, operated, or occupied by your Company within a 50 mile radius of the Site or within the municipalities of Vega Baja, Vega Alta, Ciales, Manati and/or Morovis which generated, handled, transported, treated, stored or disposed of hazardous substances, hazardous wastes, industrial wastes or commercial wastes between 1948 and 1978. For each facility identified in your answer to this question, state its name, address and its RCRA I.D. number.

Response: Without waiving any of the foregoing general objections, in 1974, Respondent began construction of a glass bottle manufacturing plant in Vega Alta. Operations began at this facility in 1975. The facility's EPA I.D. number is PRD-090-490-285.

Respondent purchased a sand plant located in Vega Baja from the Puerto Rico Glass Company in the early 1980s. Since the operation was purchased after the relevant time period, Respondent will not consider this facility when answering the following requests for information.

3. Describe in detail the nature of the operations conducted at each facility identified in your response to question 2., above, including all materials containing hazardous substances used in such operations, and state the period of those operations. If those operations were not constant throughout the operating life of the facility, identify all changes in operations and state the year of each change.

Response: Without waiving any of the foregoing general objections, Respondent began operation of the glass bottle manufacturing plant located in Vega Alta in 1975 and has operated the facility since that time. The manufacturing process has remained fairly constant since 1975.

The Vega Alta facility manufactures glass bottles for beverages and other consumable products. The manufacturing process consists of combining raw batch materials (cullet or broken glass, sand, soda ash and limestone) and melting the batch in large furnaces. The molten glass is then formed into the desired bottle shape utilizing a blow mold process.

A graphite lubricant was sprayed onto the surface of the glass molds so that the glass would not stick to the mold surface. The material consisted of graphitic in an alcohol carrier solution. Upon application of the material to the mold surface, the alcohol evaporated leaving the graphite on the mold surface for lubrication. The facility may have generated a small amount of waste from this process.

The glass blow mold processing equipment requires lubrication as do fork lifts, pumps and other mechanical equipment in the facility. The used oil and grease from such equipment was collected and burned in the glass furnace during the relevant time period.

For maintenance purposes, the facility may have cleaned parts from its mechanical processing equipment in a parts washer. Respondent has been unable to identify any information as to when the facility began using a parts washer, what materials may have been used in the parts washer, and the ultimate disposition of any such materials.

The facility utilized a demineralizer for treatment of its incoming process water and cooling water. Hydrochloric acid and sodium hydroxide were used to regenerate the resin beds in the demineralizer. The blowdown from this process was discharged to the facility's on-site package waste water treatment plant, where it was neutralized.

4. List all hazardous substances, hazardous wastes, industrial wastes and commercial wastes that were generated, handled, transported, treated, stored or disposed of at or by each facility identified in your response to question 2., above, during the period between 1948 and 1978, including, but not limited to, barium, copper, mercury, nickel, selenium, silver, thallium, zinc, cadmium, chromium, and lead. Please identify the nature and quantity of all such hazardous substances, hazardous wastes, industrial wastes and commercial wastes. To identify a metal, chemical or other hazardous substance, please include in your answer:
- (i.) The dates when such substances were generated, handled, transported, treated, stored, disposed of at or by each facility;
 - (ii) The volume or weight of the substances;
 - (iii). The specific nature of the substances, including the name, composition, and its source and /or origin;
 - (iv). The form of each substance (liquid, sludge, solid); and
 - (v). The specific manufacturing or other process in which the hazardous substance or waste was generated, handled, treated or stored and if available, include a copy of any chemical analyses performed.

Response: Without waiving any of the foregoing general objections, the following wastes were generated by Respondent's operation of its glass bottle manufacturing plant located in Vega Alta from 1975 through 1978.

Glass cullet - The glass bottle manufacturing process generated glass cullet (broken bottles and other scrap glass), which was recycled during the relevant time period by adding the cullet to the glass raw materials batch and melting the batch. A small amount of glass may have been disposed of into the general plant trash.

Used Oil - To the best of Respondent's knowledge, the Vega Alta glass facility collected its used oil and grease, which was generated from equipment lubrication and oil changes of fork lifts, pumps and other processing equipment. This material was burned in the glass furnaces during the relevant time period (1974 - 1978).

General plant trash - The facility's general plant trash contained materials such as scrap paper, wood, plastics, some glass cullet, cafeteria-type wastes and other miscellaneous wastes. The facility has utilized BFI for its general trash removal since it began operation. To the best of Respondent's knowledge, BFI may have taken the general trash from two (2) twenty (20) yard dumpster containers approximately three (3) to five (5) times per week. Respondent is not aware of the ultimate disposition of this waste because it was transported and handled by BFI.

Paint related materials - The facility generated a waste paint related material which was used to coat and lubricate the glass forming molds. The material contained graphite in an alcohol carrier solution. Upon application of the solution to the mold surface, the alcohol evaporated leaving the graphite on the mold surface for lubrication. To the best of Respondent's knowledge, it may have generated between 100 (one hundred) and 125 (one hundred twenty five) gallons of this material per year. Respondent is not aware of the final disposition of this waste.

5. a. Explain in detail how and where the hazardous wastes, hazardous substances, industrial wastes and commercial wastes identified in your response to question 4., above, were disposed of between 1948 and 1978 for each of the facilities identified in your response to question 2. above.

Response: The response to question #4 is also responsive to this request for information.

- b. Identify all individuals, companies and entities that hauled or transported any of the hazardous substances, hazardous wastes, industrial wastes and commercial wastes identified in your response to question 4. above. Specify, as to each transporter, the

nature and volume of the substances handled and state when each transporter or waste hauler was used. Further, identify all disposal locations to which the transporters and waste haulers transported the materials. If you are unaware of the ultimate disposal location of any of the hazardous wastes, hazardous substances, industrial wastes or commercial wastes that were removed from the facility during the period specified above, state the nature and quantity of the particular waste materials in question and the names and addresses of the companies or individuals who removed the wastes from the facility, and any other companies or individuals who handled or accepted the wastes.

Response: **The response to question #4 is also responsive to this request for information.**

c. Provide copies of the following:

- (i). All contracts or agreements between your Company and any other person or entity providing for or relating to the treatment or disposal of hazardous substances, hazardous wastes, industrial wastes and commercial wastes at the Site;
- (ii). All documents that relate to the transportation of hazardous substances, hazardous wastes, industrial wastes and commercial wastes referred to in question 5.a. above, including but not limited to, waste manifests, hauling records, disposal records, and any descriptions, characterizations or analyses of any of the materials; and
- (iii). All other documents relating to the generation, handling, disposal or treatment of hazardous substances, hazardous wastes, industrial wastes and commercial wastes identified in response to question 5.a. above.

Response: **Respondent does not have any documents within its custody or control that are responsive to this request for information.**

6. Do you have reason to believe that any materials generated, handled, treated or stored at any of your company's facilities ever were sent to or disposed of at the Site? If so:

a. Describe in detail each of the materials that you have reason to believe were sent to the Site. Your answer should include:

- (i). Whether the material was a liquid, solid, sludge, or gaseous material
- (ii). The chemical contents and characteristics of the material
- (iii). Whether the materials contained or was a hazardous substance (if so, state the name, composition and source of origin of each hazardous substance

contained in the material and identify the concentrations of each hazardous substance in the material);and

- (iv). How the material was containerized (e.g., in drums, cylinders, tanks, bulk for, etc.)

Response: The response to question #4 is also responsive to this request for information.

- b. For each type of material sent to the Site, state when that material was sent there and identify the total volume or weight of such material that was sent to the Site.

Response: The response to question #4 is also responsive to this request for information.

- c. For each material sent to the Site, describe in detail what was done with the material once it reached the Site, e.g., burned, buried and/or transported elsewhere, etc.

Response: Without waiving any of the foregoing general objections, Respondent has no information as to the final disposition of materials which may have been sent to the Site.

- d. For each material sent to the Site describe the final disposition of the material and state when and where that disposition occurred.

Response: Without waiving any of the foregoing general objections, Respondent has no information as to the final disposition of materials which may have been sent to the Site.

- e. If materials from more than one of the facilities identified in response to question 2. above, were sent to the Site specify which of your facilities was the source of each of the materials.

Response: Without waiving any of the foregoing general objections, the responses to questions #1 and #4 are also responsive to this request for information.

- f. Identify all parties who participated in the transportation of materials from your facilities to the Site. State the present or last known addresses of all such parties.

Response: The response to question #4 is also responsive to this request for information.

g. Identify all parties who selected the Site as the destination for the materials generated, handled, treated or stored at your Company's facility(ies).

Response: Without waiving any of the foregoing general objections, Respondent has no information as to who may have selected the Site for disposal of any of its waste.

h. Identify all sources of the information contained in your answers to question 6. a.-g. above.

Response: Without waiving any of the foregoing general objections, Respondent has conducted a diligent investigation into the potential use of the Site, which consisted of a search for relevant documents as well as interviews of current employees who may have knowledge of the waste generation and disposal practices of the Vega Alta facility and the potential use of the Vega Baja Landfill. (See response to question # 9 for employee names.)

i. Provide copies of all documents that relate to your answers to question 6.a.-h.

Response: Respondent does not have any documents within its custody or control that are responsive to this request for information.

7. Please list the names of all other companies, individuals or other entities of which you are aware that conducted operations in or around the Vega Baja Industrial Park, the Ciales Industrial Park, the Morovis Industrial Park and the Manati Industrial Park, that may have generated hazardous substances, hazardous wastes, industrial wastes or commercial wastes that were disposed of at the Site.

Response: Without waiving any of the foregoing general objections, Respondent has no information as to the waste generation or waste disposal practices of any other companies, individuals, or other entities that conducted operations at the above listed locations.

8. Can you please provide any additional information or documents which may help EPA identify other individuals, companies, or other entities which conducted operations at the Site, or which may be responsible for the handling, use transportation, storage, treatment or disposal of hazardous substances, hazardous wastes, industrial wastes or commercial wastes at the Site? If so, please provide that information and those documents, and identify the source(s) of your information.

Response: Without waiving any of the foregoing general objections, Respondent has no additional information or documents in its custody or control

that would assist the EPA in identifying other parties who may have disposed of wastes at the Site.

9. Please state the name, title and address of each individual who assisted or was consulted in the preparation of the Company's response to this Request for Information. In addition, state whether this person has personal knowledge of the answers provided.

Response: **The following persons were consulted in the preparation of Respondent's answers:**

A. W. Long, Environmental Manager for Glass Container Division, Owens-Illinois, Inc., One SeaGate - 30 LDP, Toledo, Ohio 43666

Mark Tussing, Environmental Administrator, Owens-Illinois, Inc., One SeaGate-30 LDP, Toledo, OH 43666

Each of the following person are employees of Owens-Illinois de Puerto Rico's Vega Alta Glass facility, P.O. Box 387, Vega Alta, PR 00692:

Larry Camacho, Service Manager, (employed at facility since 1974).

Salvador Muriel, Purchasing Manager, (employed at facility since 1975).

Juan Perez, Systems & Mechanical Maintenance Supervisor, (employed at facility since 1975).

Milton Rosa, Plant Engineer, (employed at facility since 1987).

Santos Santana, Batch and Furnace Supervisor, (employed at facility since 1975).